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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION**

IN RE STATIC RANDOM ACCESS  
 MEMORY (SRAM) ANTITRUST  
 LITIGATION

Case No. M:07-CV-01819-CW

MDL No. 1819

**STIPULATION AND ORDER  
 AMENDING ORDER GRANTING IP  
 PLAINTIFFS' MOTION FOR CLASS  
 CERTIFICATION**

This Document Relates to:

ALL INDIRECT PURCHASER ACTIONS

WHEREAS, on November 25, 2009, the Court issued an Order Granting Indirect Purchaser Plaintiffs' Motion for Class Certification and Denying Motions to Exclude Expert Opinions (Dkt. 903) ("Order Granting Certification"), wherein the Court certified a nationwide injunctive class of indirect purchasers of SRAM pursuant to Federal Rules of Civil Procedure 23(a) and (b)(2), as well as twenty-seven (27) state classes of indirect purchasers of SRAM seeking damages and/or restitution under Federal Rules of Civil Procedure 23(a) and (b)(3); and

WHEREAS, the Court's Order certified a nationwide injunctive class of indirect purchasers of SRAM pursuant to the definition of that class as provided in the Complaint; and

WHEREAS, Indirect Purchaser ("IP") Plaintiffs, in their Notice Of Motion And Motion Of Indirect Purchaser Plaintiffs For Class Certification, dated January 29, 2009 ("Notice Of Motion

1 And Motion”) (Dkt. 645), at page 2 n.1, and in their Memorandum In Support Of Motion For Class  
 2 Certification, dated January 29, 2009 (Dkt. 645-2), at page 5, expressly limited the definition and  
 3 scope of each of the requested state plaintiff classes to purchasers of the following "products  
 4 containing SRAM": "handheld computer devices (also known as personal digital assistants ('PDAs')  
 5 and smart phones), desktop computers (with separate level 2 cache memory), servers, mainframes,  
 6 Voice-Over Internet Protocol Systems, routers, switches, modems, storage area networks and  
 7 firewalls"; and

8 WHEREAS, the briefing, discovery and oral argument on the IP Plaintiffs' Motion For Class  
 9 Certification all proceeded and were limited in scope as to the requested state plaintiff classes based  
 10 on the foregoing limited definition of "products containing SRAM"; and

11 WHEREAS, the foregoing limited definition of "products containing SRAM" was not  
 12 explicitly referenced in the definitions of the state plaintiff classes set forth on pages 29 to 36 of the  
 13 Order Granting Certification; and

14 WHEREAS, the parties wish to avoid any ambiguity with respect to the "products containing  
 15 SRAM" at issue with respect to the state plaintiff classes certified in the Order Granting Certification  
 16 for purposes of further litigation of this matter, without effect on the scope of any settlement class;

17 NOW THEREFORE, it is hereby stipulated by the undersigned counsel on behalf of the  
 18 parties identified below, and subject to the Court's approval, that:

19 The Court's Order Granting Certification be amended to add the following language, which is  
 20 substantively identical to language appearing in IP Plaintiffs' Notice Of Motion And Motion, on  
 21 page 36 following the Court's descriptions of the state classes and before the class representatives are  
 22 identified beginning on lines 22-23 and which is done for purposes of the litigation of these matters:

23 "Products containing SRAM" as used in each of the foregoing state  
 24 plaintiff class definitions shall be limited for litigation purposes to  
 25 handheld computer devices (also known as personal digital assistants  
 26 ("PDAs") and smart phones), desktop computers (with separate level 2  
 27 cache memory), servers, mainframes, Voice-Over Internet Protocol  
 28

Systems, routers, switches, modems, storage area networks and  
firewalls.

Dated: April 1, 2010

By: /s/ Christopher T. Micheletti  
CHRISTOPHER T. MICHELETTI  
ZELLE HOFMANN VOELBEL  
& MASON LLP  
*Lead and Liaison Counsel for Indirect-  
Purchaser Class*

Dated: April 1, 2010

By: /s/ Michael W. Scarborough  
MICHAEL W. SCARBOROUGH  
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Samsung Electronics Company, Ltd.,  
Samsung Semiconductor, Inc. and  
Samsung Electronics America, Inc.*

Dated: April 1, 2010

By: /s/ Gary A. Winters  
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*Additional Defendants and Counsel:*

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*Attorney for Defendants  
NEC Electronics Corporation and NEC*

1 *Technology America, Inc., Mitsubishi Electric Corporation, and Mitsubishi Electric &*  
2 *Electronics USA, Inc. Electronics America, Inc. and*  
3 *Liaison Counsel for Defendants*

4 I, Christopher T. Micheletti, hereby attest, pursuant to N.D. Cal. General Order No. 45, that  
5 the concurrence to the filing of this document has been obtained from each signatory hereto.

6  
7 /s/ Christopher T. Micheletti

Christopher T. Micheletti

8  
9 **IT IS SO ORDERED.**

10 Dated: April 5, 2010

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12 THE HONORABLE CLAUDIA WILKEN  
13 United States District Judge  
14 Northern District of California

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